

RECEIVED
CENTRAL FAX CENTERPATENT
Atty. Dkt. No. 19880-003700 (SEDN/247CIP6)
Page 6 of 10

SEP 25 2007

REMARKS

This response is intended to be a full and complete response to the final Office Action mailed July 25, 2007. In the Office Action, the Examiner notes that claims 23-37 are pending and rejected.

In view of the following discussion, Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103. Thus, Applicants believe that all of the claims are now in allowable form.

It is to be understood that Applicants do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the prior art of record to the pending claims by filing this response.

Claims 23-37 are patentable over Coleman in view of Oishi and Ebling under §103

Claims 23-37 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,844,620 to Coleman ("Coleman") in view of U.S. Patent 6,779,195 to Oishi ("Oishi") and U.S. Patent 7,150,029 to Ebling ("Ebling").

Applicants' independent claims 23, 28, and 33 each recites:

"a roster comprising a plurality of roster elements, each roster element associated with a corresponding IPG page currently provided to the terminal, each roster element comprising a first field containing a packet identifier (PID) for the corresponding IPG page and one or more additional fields containing additional PIDs for respective regions of the IPG page."

As stated in the Office Action, the combination of Coleman and Oishi fails to disclose at least these features of the roster. Therefore, col. 7, lines 55-63 of Ebling was cited as teaching a program guide system in which a base PID is identified and other PIDs are derived from the base PID and stored in a roster, while col. 6, lines 27-67 and col. 11, line 53-col. 12, line 44 were cited as teaching that the PIDs may be associated with different elements in the page (e.g., page 6 of Office Action).

Furthermore, col. 5, lines 4-10, Fig. 2 and col. 4, lines 35-50 of Ebling were cited as

teaching that the IPG data allows the device to be tuned to various content sources as well as email, telephone, FAX and banking.

Specifically, the Examiner equates the base PID of the Ebling reference to an IPG page of the Applicants' invention, and the other related PIDs to correspond to additional roster elements for the other respective regions of the IPG page, further stating that tables, which include all of these elements, form "roster." (e.g., page 3 of Office Action).

Applicants disagree with such characterization of the Ebling teaching.

The Ebling reference discloses a different technology. While this technology does involve using PIDs, Ebling uses PIDs to find packets/data within network transport streams, to acquire that data, and to construct an IPG based on that data. The data is not video data. The data is used to construct an IPG database from which a graphic-layer IPG page will be constructed. That is, only after the data is acquired can an IPG picture (such as reflected in Fig. 2) be constructed. It follows therefore, that the Ebling invention requires both downloading and storing data at the viewer's side. This is entirely unlike the claimed invention.

In contrast, Applicants use PIDs to identify video bearing streams, not database data within streams. Further, the Applicants' invention does not involve storing data at the user site or reconstructing the IPG or IPG pages. Instead, the IPG is delivered to the viewer via continuous video transmitting. According to the Applicants' invention, the IPG can be provided via a number of the IPG pages, where the IPG pages and/or their regions are continuously transmitted (e.g. broadcasted). While it might be desirable to transmit, for example, the IPG for 2 weeks for all the channels, bandwidth resources are limited. Accordingly, at any particular time, only part of the IPG – some of the IPG pages – are continuously transmitted (currently received) to the viewers' terminals.

To keep track of the IPG pages that are currently being received, Applicants use a roster. When a viewer requests a particular IPG page the viewer terminal consults the roster to determine whether the IPG page is one of those IPG pages currently being received/transmitted at that terminal. If the answer is yes, then the roster element corresponding to the requested IPG page can be used to determine which streams should be used to transmit the requested page. Accordingly, the IPG page or its

PATENT

Atty. Dkt. No. 19880-003700 (SEDN/247CIP6)

Page 8 of 10

regions (where, for example, partial encoding such as slice-based rather than frame-based encoding is used) are physically represented by one or more streams.

Applicants' PIDs are used to refer to the IPG pages and/or their regions, thus to video streams providing the IPG pages and/or their regions. Therefore, for each IPG page, the roster includes an element that contains reference to the PID of that page and the PIDs of the regions of that page.

The examiner equates the base PID of Ebling with the Applicants' IPG page. Such interpretation is incorrect. The base PID of Ebling identifies a starting physical location of the data within a stream, the data which is downloaded to construct a picture of the IPG for the viewer. In contrast, Applicants' PIDs identify streams, continuously transmitting picture, video, audio, etc. The roster provides information – PIDs – which particular stream(s) should be shown to the viewer to form a particular IPG page. It should be reiterated that according to Applicants' invention, for the viewer to see the IPG on the TV screen, there is no need to store data and/or construct the IPG pages with that data.

Therefore, while for the viewer, IPG of the Ebling invention and the Applicants invention might look similar upon presentation, the technologies involved in getting to this presentation are entirely different, and this difference is at the heart of the claimed invention. In short, the Ebling reference does not disclose, teach, or suggest at least any equivalent to the Applicants' IPG page or roster.

Finally, assuming for the purpose of this argument that the Examiner's interpretation of Ebling is correct, the Ebling reference still does not disclose the Applicants' roster. It follows from the Examiner interpretation that roster disclosed by Ebling contains at least several elements referring to corresponding several regions of one IPG page. In contrast, the roster of the Applicants' invention includes one roster element for each received IPG page. Each roster element contains the PID referring to corresponding IPG page (first field of the roster element) and one or more additional PIDs for regions within that IPG page (one or more additional fields of the same roster element). While some regions could be the same for different IPG pages, thus have the same PIDs, all PIDs for regions of one IPG page are contained at least within fields of

594157-1

PATENT

Atty. Dkt. No. 19880-003700 (SEDN/247CIP6)

Page 9 of 10

one roster element. Accordingly, the Applicants' "roster" of claims 23, 28, and 33 is different from the Examiner's interpretation of Ebling.

Therefore, Applicants submit that Ebling fails to bridge the substantial gap between Applicants' invention and the teaching of Coleman and Oishi. Accordingly, independent claims 23, 28 and 33 are not obvious over Coleman in view of Oishi and further in view of Ebling, and are patentable under 35 U.S.C. §103(a).

Claims 24-27 depend, directly or indirectly, from claim 23 and, thus, inherit the patentable subject matter of claim 23, while adding additional elements and further defining elements. Therefore, claims 24-27 are also patentable over the combination of Coleman and Oishi under §103 for at least the reasons given above with respect to claim 23.

Claims 29-32 depend, directly or indirectly, from claim 28 and, thus, inherit the patentable subject matter of claim 28, while adding additional elements and further defining elements. Therefore, claims 29-32 are also patentable over the combination of Coleman, Oishi and Ebling under §103 for at least the reasons given above with respect to claim 28.

Claims 34-37 depend, directly or indirectly, from claim 33 and, thus, inherit the patentable subject matter of claim 33, while adding additional elements and further defining elements. Therefore, claims 34-37 are also patentable over the combination of Coleman, Oishi and Ebling under §103 for at least the reasons given above with respect to claim 33.

Therefore, the Examiner's rejections should be withdrawn.

PATENT

Atty. Dkt. No. 19880-003700 (SEDN/247CIP6)

Page 10 of 10

RECEIVED
CENTRAL FAX CENTER**CONCLUSION****SEP 25 2007**

For the foregoing reasons, Applicants respectfully request reconsideration and passage of the claims to allowance. If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: 9/25/07

Eamon J. Wall
Registration No. 39,414
Attorney for Applicants

PATTERSON & SHERIDAN, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702
Telephone: 732-530-9404
Facsimile: 732-530-9808